

164/5 #

DOCKET NO.: C1039.70020US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.
Serial No.: 09/337,584
Confirmation No.: 9169
Filed: June 21, 1999
For: IMMUNOSTIMULATORY NUCLEIC ACID
MOLECULES
Examiner: Nita M. Minnifield
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 8th day of April, 2005.

Kristin J. Ketekhut
Kristin J. Ketekhut

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following are remarks concerning the other information cited:

Objection to Information Disclosure Statement

The Examiner has indicated that some of the references cited on the August 27, 2004 IDS have not been considered. The examiner requests that Applicants submit copies of the references cited in that IDS which were not initialed by the Examiner.

Applicants assert that copies of all of the indicated references were mailed to the US Patent Office with the August 27, 2004 IDS. A copy of the stamped postcard indicating receipt of the IDS and references is included herewith. In order to advance prosecution applicant has enclosed another copy of the references and 1449. Applicants respectfully request that the examiner consider each of the references and return an initialed copy of the 1449 to applicant.

The examiner has also returned copies of the 1449 forms filed with other IDSs. On those 1449 forms the examiner has initialed a few references and signed the bottom of each page and struck out a few references. In order to clarify the status of these references Applicants representative called the Examiner on March 21, 2005 and discussed the forms. According to the Examiner the references without her signature were not scanned into the system and thus not accessed by her. The examiner suggested contacting the Help Desk or OIPA to discuss the best way for resolving the issue. The OIPA never answered several calls. On April 7, 2005 the undersigned was informed by Ray of the Help Desk that Applicant should submit the duplicate copies of the reference directly to the Examiner in order to avoid the afore-mentioned problem.

Applicants wish to point out on the record that copies of the references were provided with a 1449 Form and IDS. Thus Applicants have met the requirements of 37 CFR 1.98. In order to expedite prosecution, Applicants enclose herewith a clean copy of the 1449 Form listing all of those references not initialed by the Examiner and additional copies of the references that the Examiner has indicated were missing. Out of an abundance of caution, Applicants are also following the advice of the Help Desk and are directly submitting a copy of the 1449 and references directly to the Examiner. It is respectfully requested that the Examiner consider the remaining information presented in the information disclosure statement prior to taking any further action on the merits and to return a copy of the initialed 1449 form to Applicants.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

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By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Krieg et al., Applicant

By:



Helen C. Lockhart, Ph.D., Reg. No. 39,248
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
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Docket No.: C1039.70020US00
Date: April 8, 2005
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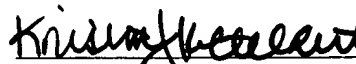
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Kristin J. Ketchum

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:


- Information Disclosure Statement
- PTO Form 1449
- Copy of 1449 submitted on August 27, 2004
- Copies of not-initialed references cited in 1449 on August 27, 2004
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

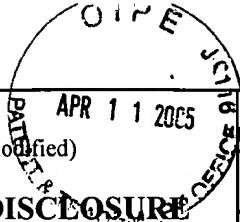
A check in the amount of \$180 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Krieg et al., Applicant

By:


Helen C. Lockhart, Ph.D., Reg. No.: 39,248
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Docket No.: C1039.70020US00
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<div style="text-align: center;">  <p>FORM PTO-1449/A and B (Modified)</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> </div>				APPLICATION NO.: 09/337,584		ATTY. DOCKET NO.: C1039.70020US00	
				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
				GROUP ART UNIT: 1645		EXAMINER: Nita M. Minnifield	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A12	2003/0026782	A1	Krieg et al.	02-06-2003
	A28	2003/0212026	A1	Krieg et al.	11-13-2003
	A29	2003/0224010	A1	Davis et al.	12-04-2003
	A38	2004/0106568	A1	Krieg et al.	06-03-2004
	A41	5,112,605		Jardieu	05-12-1992
	A42	5,679,647		Carson et al.	10-21-1997
	A43	5,908,620		Tu et al.	06-01-1999
	A44	5,955,059		Gilchrest et al.	09-21-1999
	A45	5,994,315		Nyce et al.	11-30-1999
	A46	6,025,339		Nyce	02-15-2000
	A47	6,040,296		Nyce	03-21-2000
	A48	6,090,791		Sato et al.	07-18-2000
	A49	6,174,872	B1	Carson et al.	01-16-2001
	A57	6,426,336	B1	Carson et al.	
	A65	2003/0049266	A1	Fearon et al.	03-13-2003
	A72	2003/0125279	A1	Junghans et al.	07-03-2003
	A79	2004/0092468	A1	Schwartz et al.	05-13-2004

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B2	WO	99/52549	A1	Smithkline Beecham Biologicals S.A.	10/29/1999	
	B3	WO	99/56755	A1	University of Iowa Research Foundation	11-11-1999	
	B4	WO	99/62923	A2	Dynavax Technologies Corporation		
	B5	WO	00/16804	A1	Dynavax Technologies Corporation		
	B6	WO	00/20039	A1	The Regents of the University of California		
	B7	WO	00/62787	A1	The Regents of the University of California		
	B8	WO	01/02007	A1	The Regents of the University of California		
	B9	WO	01/12223	A2	Dynavax Technologies Corporation		
	B10	WO	01/68144	A2	Dynavax Technologies Corporation	09-20-2001	
	B11	WO	03/000232	A2	Dynavax Technologies Corporation	01-03-2003	
	B12	WO	03/094963		INEX Pharmaceuticals Corp.	11-20-2003	
	B13	WO	03/101375		Immunotech SA	12-11-2003	
	B15	WO	2004/039829	A2	Coley Pharmaceutical Group, Ltd.	05-13-2004	

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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	ABED et al., Interferon-gamma regulation of B lymphocyte differentiation: activation of B cells is a prerequisite for IFN-gamma-mediated inhibition of B cell differentiation. <i>Cell Immunol.</i> 1994 Feb;153(2):356-66.	
	C2	AGRAWAL et al., Pharmacokinetics, biodistribution, and stability of oligodeoxynucleotide phosphorothioates in mice. <i>Proc Natl Acad Sci U S A.</i> 1991 Sep 1;88(17):7595-9.	
	C3	ASKEW et al., "CpG DNA induces maturation of dendritic cells with distinct effects on nascent and recycling MHC-II antigen-processing mechanisms", <i>Journal of Immunology</i> , 165: 6889-95, 2000.	
	C4	BAUER et al., DNA activates human immune cells through a CpG sequence-dependent manner. <i>Immunology.</i> 1999 Aug;97(4):699-705.	
	C5	BOHLE et al., Oligodeoxynucleotides containing CpG motifs induce IL-12, IL-18 and IFN-gamma production in cells from allergic individuals and inhibit IgE synthesis in vitro. <i>Eur J Immunol.</i> 1999 Jul;29(7):2344-53.	
	C6	BRANDA et al., Immune stimulation by an antisense oligomer complementary to the rev gene of HIV-1. <i>Biochem Pharmacol.</i> 1993 May 25;45(10):2037-43.	
	C7	BRAZOLOT-MILLAN et al., CpG DNA can induce strong Th1 humoral and cell-mediated immune responses against hepatitis B surface antigen in young mice. <i>Proc Natl Acad Sci U S A.</i> 1998 Dec 22;95(26):15553-8.	
	C8	BROIDE et al., Modulation of asthmatic response by immunostimulatory DNA sequences. <i>Springer Semin Immunopathol.</i> 2000;22(1-2):117-24. Review.	
	C9	BROIDE et al., Immunostimulatory DNA sequences inhibit IL-5, eosinophilic inflammation, and airway hyperresponsiveness in mice. <i>J Immunol.</i> 1998 Dec 15;161(12):7054-62.	
	C10	BROIDE et al., DNA-Based immunization for asthma. <i>Int Arch Allergy Immunol.</i> 1999 Feb-Apr;118(2-4):453-6.	
	C11	BRUNNER et al., "Enhanced dendritic cell maturation by TNF-alpha or cytidine-phosphate-guanosine DNA drives T cell activation in vitro and therapeutic anti-tumor immune responses in vivo", <i>Journal of Immunology</i> , 165: 6278-6286, 2000.	
	C12	CARSON et al., Oligonucleotide adjuvants for T helper 1 (Th1)-specific vaccination. <i>J Exp Med.</i> 1997 Nov 17;186(10):1621-2. Review.	
	C13	CHACE et al., Bacterial DNA-induced NK cell IFN-gamma production is dependent on macrophage secretion of IL-12. <i>Clin Immunol Immunopathol.</i> 1997 Aug;84(2):185-93.	
	C15	DAVIS et al., "Use of CpG DNA for enhancing specific immune responses", <i>Current Topics in Microbiology Immunology</i> , 247: 171-83, 2000.	
	C16	DUNN et al., The three Es of cancer immunoediting. <i>Annu Rev Immunol.</i> 2004;22:329-60. Review.	
	C17	DURHAM et al., Immunotherapy and allergic inflammation. <i>Clin Exp Allergy.</i> 1991 Jan;21 Suppl 1:206-10.	
	C18	FRANCOIS et al., Examination of the inhibitory and stimulatory effects of IFN-alpha, -beta, and -gamma on human B-cell proliferation induced by various B-cell mitogens. <i>Clin Immunol Immunopathol.</i> 1988 Sep;48(3):297-306.	
	C19	FRISSORA et al., IFN-gamma-mediated inhibition of antigen receptor-induced B cell proliferation and CREB-1 binding activity requires STAT-1 transcription factor. <i>Eur J Immunol.</i> 2003 Apr;33(4):907-12.	
	C20	HARTMANN et al., "CpG DNA and LPS induce distinct patterns of activation in human monocytes", <i>Gene Therapy</i> , 6: 893-903, 1999.	
	C21	HARTMANN et al., "Mechanism and function of a newly identified CpG DNA motif in human primary B cells", <i>Journal of Immunology</i> , 164: 944, 2000.	
	C22	HARTMANN et al., "Delineation of a CpG phosphorothioate oligodeoxynucleotide for activating primate immune responses in vitro and in vivo", <i>Journal of Immunology</i> , 164: 1617, 2000.	
	C23	HARTMANN et al., "CpG DNA: a potent signal for growth, activation, and maturation of human dendritic cells", <i>Proceedings of the National Academy of Science USA</i> , 96: 9305-9310, 1999.	
	C24	HEEG et al., CpG DNA as a Th1 trigger. <i>Int Arch Allergy Immunol.</i> 2000 Feb;121(2):87-97. Review.	
	C25	HOPKIN et al., <i>BioMedNet</i> , Issue 57, 6/25/1999.	
	C26	HORNER et al., Optimized conjugation ratios lead to allergen immunostimulatory oligodeoxynucleotide conjugates with retained immunogenicity and minimal anaphylactogenicity. <i>J Allergy Clin Immunol.</i> 2002 Sep;110(3):413-20.	
	C27	HORNER et al., Immunostimulatory sequence oligodeoxynucleotide-based vaccination and immunomodulation: two unique but complementary strategies for the treatment of allergic diseases. <i>J Allergy Clin Immunol.</i> 2002 Nov;110(5):706-12. Review.	

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/337,584	ATTY. DOCKET NO.: C1039.70020US00
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Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C29	IHO et al., "Oligodeoxynucleotides containing palindrome sequences with internal 5'-CpG-3' act directly on human NK and activated T cells to induce IFN-gamma production in vitro", <i>Journal of Immunology</i> , 163: 3642, 1999.	
	C30	IKEDA et al., Chapter 23: Immunostimulatory DNA for allergic asthma. <u>microbial dna and Host Immunity</u> . 2002. p289-299.	
	C31	JAKOB et al., "Activation of cutaneous dendritic cells by CpG-containing oligodeoxynucleotides: a role for dendritic cells in the augmentation of Th1 responses by immunostimulatory DNA", <i>Journal of Immunology</i> , 161(6): 3042-9, 1998.	
	C32	JAKOB et al., "Bacterial DNA and CpG-containing oligodeoxynucleotides activate cutaneous dendritic cells and induce IL-12 production: implications for the augmentation of Th1 responses", <i>International Archives of Allergy Immunology</i> , 118(2-4): 457-61, 1999.	
	C33	JILEK et al., Antigen-independent suppression of the allergic immune response to bee venom phospholipase A(2) by DNA vaccination in CBA/J mice. <i>J Immunol</i> . 2001 Mar 1;166(5):3612-21.	
	C34	KATAOKA et al., "Antitumor activity of synthetic oligonucleotides with sequences from cDNA encoding proteins of <i>Mycobacterium bovis</i> BCG", <i>Japan Journal of Cancer Research</i> , 83: 244-247, 1992.	
	C35	KATAOKA et al., "Immunotherapeutic potential in guinea-pig tumor model of deoxyribonucleic acid from <i>Mycobacterium bovis</i> BCG complexed with poly-L-lysine and carboxymethylcellulose", <i>Japan Journal of Medical Science and Biology</i> , 43(5):171-82, 1990.	
	C36	KITAGAKI et al., Chapter 24: CpG oligodeoxynucleotides in asthma. <u>Microbial DNA and Host Immunity</u> . 2002. p301-314.	
	C39	KLINE et al., Modulation of airway inflammation by CpG oligodeoxynucleotides in a murine model of asthma. <i>J Immunol</i> . 1998 Mar 15;160(6):2555-9.	
	C40	KLINMAN et al., "Immune recognition of foreign DNA: a cure for bioterrorism?", <i>Immunity</i> , 11: 123-129, 1999.	
	C41	KLINMAN et al., "Contribution of CpG motifs to the immunogenicity of DNA vaccines", <i>Journal of Immunology</i> , 158(8): 3635-9, 1997.	
	C42	KLINMAN et al., Immunotherapeutic applications of CpG-containing oligodeoxynucleotides. <i>Drug News Perspect</i> . 2000 Jun;13(5):289-96.	
	C43	KOHAMA et al., Immunostimulatory oligodeoxynucleotide induces TH1 immune response and inhibition of IgE antibody production to cedar pollen allergens in mice. <i>J Allergy Clin Immunol</i> . 1999 Dec;104(6):1231-8.	
	C44	KOVARIK et al., "CpG oligodeoxynucleotides can circumvent the Th2 polarization of neonatal responses to vaccines but may fail to fully redirect Th2 responses established by neonatal priming", <i>The Journal of Immunology</i> , 162: 1611-1617, 1999.	
	C45	KRANZER et al. "CpG oligodeoxynucleotides can circumvent the Th2 polarization of neonatal responses to vaccines but may fail to fully redirect Th2 responses established by neonatal priming", <i>Immunology</i> , 99: 170, 2000.	
	C46	KRIEG et al., "CpG motifs in bacterial DNA and their immune effects", <i>Annual Reviews in Immunology</i> , 20: 709, 2002.	
	C47	KRIEG et al., Immune effects and therapeutic applications of CpG motifs in bacterial DNA. <i>Immunopharmacology</i> . 2000 Jul 25;48(3):303-5. Review.	
	C48	KRIEG et al., Abstract from 1996 meeting on Molecular Approaches to the Control of Infectious Diseases, Cold Spring Harbor Laboratory, September 9-13, 1996. p.116.	
	C49	KRIEG et al., "Enhancing vaccines with immune stimulatory CpG DNA", <i>Current Opinions Molecular Therapeutics</i> , 3(1): 15-24, 2001.	
	C50	KRIEG et al., Ernst Schering Research Found Workshop, (30): 105-18, 2001.	
	C51	KRIEG et al., "Immune effects and mechanisms of action of CpG motifs", <i>Vaccine</i> , 19(6): 618-22, 2001.	
	C52	KRIEG et al. "The role of CpG motifs in innate immunity", <i>Current Opinions Immunology</i> , 12: 35, 2000.	
	C53	KRIEG et al., "Mechanism of Action in CpG DNA", <i>Current Topics in Microbiology and Immunology</i> , 247: 1-21, 2000.	
	C54	KRIEG et al., "Mechanisms and therapeutic applications of immune stimulatory cpG DNA", <i>Pharmacological Therapeutics</i> , 84: 113, 1999.	
	C55	KRIEG et al., "Sequence motifs in adenoviral DNA block immune activation by stimulatory CpG motifs", <i>Proceedings of the National Academy of Science</i> , 95: 12631-636, 1998.	

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	C56	KRIEG et al., "CpG DNA induces sustained IL-12 expression in vivo and resistance to <i>Listeria monocytogenes</i> challenge", <i>Journal of Immunology</i> , 161(5): 2428-2434, 1998.	
	C57	KRIEG et al., Chapter 17: Immune stimulation by oligonucleotides. p471-515.	
	C58	KRIEG, The CpG motif: Implications for clinical immunology. <i>BioDrugs</i> . 1998 Nov; 10(5):341-6.	
	C59	KRIEG, Mechanisms and applications of immune stimulatory CpG oligodeoxynucleotides. <i>Biochim Biophys Acta</i> . 1999 Dec 10;1489(1):107-16. Review.	
	C60	KRIEG et al., Signal transduction induced by immunostimulatory CpG DNA. <i>Springer Semin Immunopathol</i> . 2000;22(1-2):97-105. Review.	
	C61	KRIEG et al., American College of Rheumatology 58th National Scientific Meeting. Minneapolis, Minnesota, October 22, 1994. Abstracts. <i>Arthritis Rheum</i> . 1994 Sep;37(9 Suppl).	
	C62	KUBY et al., Editors, "Chapter 13: Cytokines", <i>Immunology: Second Edition</i> . 1994. W.H. Freeman and Company: New York, p. 297-322.	
	C63	KURAMOTO et al., "Changes of host cell infiltration into Meth A fibrosarcoma tumor during the course of regression induced by injections of a BCG nucleic acid fraction", <i>International Immunopharmacology</i> , 14(5): 773-782, 1992.	
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	C65	LECLERC et al., The preferential induction of a Th1 immune response by DNA-based immunization is mediated by the immunostimulatory effect of plasmid DNA. <i>Cell Immunol</i> . 1997 Aug 1;179(2):97-106.	
	C66	LEIBSON et al., Role of gamma-interferon in antibody-producing responses. <i>Nature</i> . 1984 Jun 28-Jul 4;309(5971):799-801.	
	C67	LEONARD et al., Interleukin-12: potential role in asthma therapy. <i>BioDrugs</i> . 2003;17(1):1-7. Review.	
	C68	LIPFORD et al., "CpG-containing synthetic oligonucleotides promote B and cytotoxic T cell responses to protein antigen: a new class of vaccine adjuvants", <i>European Journal of Immunology</i> , 27(9): 2340-4, 1997.	
	C69	LIPFORD et al., "Immunostimulatory DNA: sequence-dependent production of potentially harmful or useful cytokines", <i>European Journal of Immunology</i> , 27: 3420-6, 1997.	
	C70	LIPFORD et al., Bacterial DNA as immune cell activator. <i>Trends Microbiol</i> . 1998 Dec;6(12):496-500. Review.	
	C71	LOTZ et al., Effects of recombinant human interferons on rheumatoid arthritis B lymphocytes activated by Epstein-Barr virus. <i>J Rheumatol</i> . 1987 Feb;14(1):42-5.	
	C72	MA et al., DNA-based vaccination against hepatitis C virus (HCV): effect of expressing different forms of HCV E2 protein and use of CpG-optimized vectors in mice. <i>Vaccine</i> . 2002 Sep 10;20(27-28):3263-71.	
	C73	MARDH et al., <i>Alternaria alternata</i> as a cause of opportunistic fungal infections in man. <i>Scand J Infect Dis Suppl</i> . 1978;(16):36-40.	
	C74	MARTIN-OROZCO et al., Enhancement of antigen-presenting cell surface molecules involved in cognate interactions by immunostimulatory DNA sequences. <i>Int Immunol</i> . 1999 Jul;11(7):1111-8.	
	C75	MCCLUSKIE et al., "CpG DNA is a potent enhancer of systemic and mucosal immune responses against hepatitis B surface antigen with intranasal administration to mice", <i>Journal of Immunology</i> , 161: 4463-6, 1998.	
	C77	MCCLUSKIE et al., "Oral, intrarectal and intranasal immunizations using CpG and non-CpG oligodeoxynucleotides as adjuvants", <i>Vaccine</i> , 19: 413-422, 2001.	
	C78	MCCLUSKIE et al., "CpG DNA is an effective oral adjuvant to protein antigens in mice", <i>Vaccine</i> , 19(7-8):950-7, 2000.	
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				FILING DATE: June 21, 1999		CONFIRMATION NO.: 9169	
				APPLICANT: Krieg et al.			
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Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
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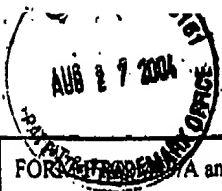
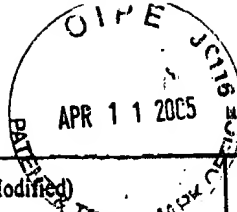
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

FOR ~~PROCESSES~~ A and B (Modified)

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 EXAMINER: Nita M. Minnifield

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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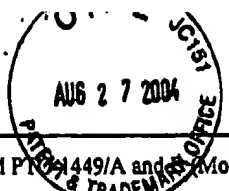
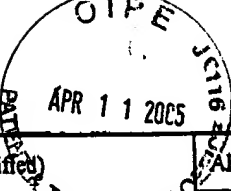
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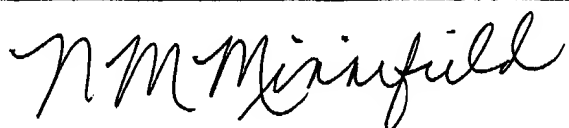
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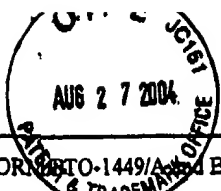
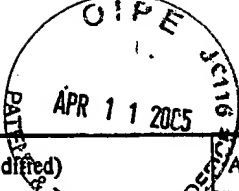
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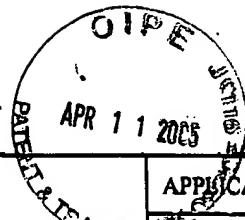
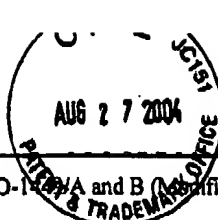
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MM	C121	Patent Interference No. 105,171. Miscellaneous Motion 2 (Unopposed Request for Addition to Iowa's File History). April 15, 2004.		
MM	C122	Patent Interference No. 105,171. Iowa Preliminary Motion 3 (For Judgment Based on Failure to Comply with 35 U.S.C. 135(b)) (Electronically filed, unsigned). June 7, 2004.		
MM	C123	Patent Interference No. 105,171. Iowa Preliminary Motion 4 (For Judgment of No Interference in Fact) (Electronically filed, unsigned). June 7, 2004.		
MM	C124	Patent Interference No. 105,171. Iowa Preliminary Motion 5 (For Judgment Based on Lack of Enablement) (Electronically filed, unsigned). June 7, 2004.		
MM	C125	Patent Interference No. 105,171. Iowa Preliminary Motion 6 (For Judgment Based Lack of an Adequate Written Description) (Electronically filed, unsigned). June 7, 2004.		
MM	C126	Patent Interference No. 105,171. Iowa Preliminary Motion 7 (Motion to Redefine the Interference to Designate Claims as Not Corresponding to the Count) (Electronically filed, unsigned). June 7, 2004.		
MM	C127	Patent Interference No. 105,171. Iowa Preliminary Motion 8 (Contingent Motion to Redefine Count) (Electronically filed, unsigned). June 7, 2004.		
MM	C128	Patent Interference No. 105,171. Iowa Preliminary Motion 9 (Motion for Benefit of Earlier Application) (Electronically filed, unsigned). June 7, 2004.		
MM	C129	Patent Interference No. 105,171. Iowa Preliminary Motion 10 (Contingent Motion to Redefine the Interference By Adding A Continuation Application) (Electronically filed, unsigned). July 2, 2004.		
MM	C130	Patent Interference No. 105,171. Regents of the University of California Preliminary Statement. June 7, 2004.		
MM	C131	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 1 (To Designate Additional Claims of the Iowa Patent as Corresponding to the Count). June 7, 2004.		
MM	C132	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 2 (For Judgment Based on Lack of Written Description Support and Introducing New Matter). June 7, 2004.		
MM	C133	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 3 (For Judgment Based on Anticipation). June 7, 2004.		
MM	C134	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 4 (For Judgment Based on Obviousness). June 7, 2004.		
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MM	C136	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 6 (For Judgment Based on Inequitable Conduct). June 7, 2004.		
MM	C137	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 7 (For Benefit of an Earlier Application under 37 CFR 1.633(j)). July 2, 2004.		
MM	C138	Patent Interference No. 105,171. Regents of the University of California Preliminary Motion 8 (To Add Additional Claims Under 37 CFR 1.633(e)(2) and (j)). July 2, 2004.		
MM	C139	Amended Claims for Application Number 09/337,584, filed March 10, 1999.		

EXAMINER

Nita M. Minnifield

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